

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

In re ALKERMES SECURITIES)	Master Docket No. 03-CV-12091-RCL
LITIGATION)	
)	<u>CLASS ACTION</u>
<hr/> This Document Relates To:)	
)	
ALL ACTIONS.)	
)	
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JOINT STIPULATION FOR DISMISSAL WITH PREJUDICE

WHEREAS, this action was filed on October 29, 2003, and a Consolidated Complaint for Violation of the Federal Securities Laws ("Consolidated Complaint") was filed on July 12, 2004;

WHEREAS, the action was filed as a class action but has not been certified as such;

WHEREAS, pursuant to the Court's order dated May 13, 2004, the Court appointed the Southern Alaska Carpenters Retirement Trust as lead plaintiff and the undersigned plaintiffs' counsel were appointed as lead counsel for lead plaintiff;

WHEREAS, on October 6, 2005, the Honorable Magistrate Judge Robert B. Collings recommended that the Court grant defendants' motion to dismiss the Consolidated Complaint;

WHEREAS, defendants have neither answered nor moved for summary judgment and no class certification motion has been filed;

WHEREAS, lead counsel for lead plaintiff and defense counsel have met and conferred concerning this action;

WHEREAS, lead plaintiff and its counsel have decided to voluntarily dismiss this action with prejudice;

WHEREAS, defendants stipulate to this dismissal;

WHEREAS, under Fed. R. Civ. P. 41(a)(1), lead plaintiff is entitled to dismiss this action upon stipulation of the parties:

Subject to the provisions of Rule 23(e), of Rule 66, and of any statute of the United States, an action may be dismissed by the plaintiff without order of the court . . . (ii) by filing a stipulation of dismissal signed by all parties who have appeared in the action. . . .

WHEREAS, because a class has not been certified, no prejudice to absent putative class members will result from dismissal of the Consolidated Complaint.

THEREFORE, the parties, through their respective counsel, hereby stipulate and agree:

1. The parties to this action submit this Stipulation for Dismissal with Prejudice pursuant to Rules 41(a) and 23(e) of the Federal Rules of Civil Procedure to request the Court to dismiss this action.

2. The action will be dismissed with prejudice as to the lead plaintiff. Lead plaintiff agrees not to file a further amended pleading or to seek further review or appeal in connection with the action.

3. The parties agree to bear their own costs in connection with this matter, and no party or their counsel shall seek reimbursement from or pursue any action or claim against any other party or their counsel for any fees, costs, expenses, damages or otherwise of any sort in connection with the filing, prosecution, defense or dismissal of this action or the events that are the subject of this action and that the parties and their counsel finally and forever release, relinquish and discharge each other for all claims (including unknown claims), arising out of, in any way relating to, or in connection with the institution, prosecution, assertion, or resolution of this case.

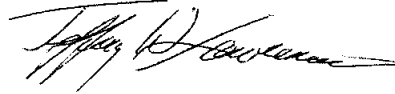
4. Neither this Stipulation nor the [Proposed] Order of Dismissal shall constitute or imply any admission or concession by any party regarding the basis for the allegations in the Consolidated Complaint or the merits of any claim or defense raised in this action.

5. For the foregoing reasons, the parties respectfully request that the Court sign and enter the [Proposed] Order of Dismissal attached hereto as Exhibit 1.

IT IS SO STIPULATED.

DATED: October 21, 2005

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Exhibit 1

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[PROPOSED] ORDER GRANTING DISMISSAL WITH PREJUDICE

Pursuant to Fed. R. Civ. P. 23(e) and 41(a), I have reviewed the parties' Joint Stipulation for Dismissal with Prejudice and hereby dismiss with prejudice this action in its entirety under Rule 41(a) of the Federal Rules of Civil Procedure.

All parties shall bear their own costs and attorneys' fees in connection with this action.

IT IS SO ORDERED.

DATED: _____

THE HONORABLE RICHARD C. LINDSAY
UNITED STATES DISTRICT JUDGE

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DECLARATION OF SERVICE BY FACSIMILE

I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, a citizen of the United States and employed in the City and County of San Francisco, over the age of 18 years, and not a party to or interested party in the within action; that declarant's business address is 100 Pine Street, Suite 2600, San Francisco, California 94111.

2. That on October 21, 2005, declarant served by facsimile the **JOINT STIPULATION FOR DISMISSAL WITH PREJUDICE** to the parties listed on the attached Service List.

3. That there is a regular communication by facsimile between the place of origin and the places so addressed.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 21st day of October, 2005, at San Francisco, California.



CAROLYN BURR

ALKERMES (LEAD)

Service List - 10/19/2005 (03-0358)

Page 1 of 1

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